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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,227	08/28/2003	Liam Mannion	920476-94734	6366

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BARNES & THORNBURG LLP  
P.O. BOX 2786  
CHICAGO, IL 60690-2786

EXAMINER

NGUYEN, MY XUAN

ART UNIT PAPER NUMBER

2617

DATE MAILED: 09/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/650,227	<b>Applicant(s)</b> MANNION ET AL.	
	<b>Examiner</b> My X. Nguyen	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07/20/2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-8, and 10-15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,530,744 (Charalambous et al.).

Regarding claims 1, 3, 10 and 11, Charalambous et al. discloses calling station 312 places a call, dialing a number for connection to an agent associated with telemarketing complex 315 (Fig. 2, Col. 10 Lines 2-5), read as the claimed receiving a contact at one of the contact centers, said contact center being a source contact center.

Charalambous et al. discloses Next Available Agent (NAA)-Advanced receives Automatic Call Distributor (ACD) performance measures from telemarketing operations and planning management system (TOPMS) (Fig. 3, Col. 9 Lines 36-44), read as the claimed sending a reservation request from the source contact center to each of the contact centers including itself at the same time, said reservation request being for an agent with a specified relative intrinsic value.

Charalambous et al. discloses NAA-Advanced uses performance measures such as: the number of agents at each site, the number of calls in queue, or the number of calls in progress (Col. Lines 45-48), read as the claimed receiving at the source contact center from each of one or more of the contact centers, a value of the specified intrinsic and an associated agent identifier.

Charalambous et al. discloses a switch takes steps to route the call to a terminating switch (Col. 11 Lines 34-42), read as the claimed routing the received contact to one of the agents on the basis of the received intrinsic.

Regarding claim 2, Charalambous et al. discloses NAA-Advanced uses performance measures such as: the number of agents at each site, the number of calls in queue, or the number of calls in progress (Col. Lines 45-48), read as the claimed specified intrinsic is selected from nodal longest idle agent, average answer delay and calls queued count.

Regarding claim 4, Charalambous et al. discloses a First Match option (Col. 4 Lines 21-28), read as the claimed canceling unused reservations.

Regarding claim 5, Charalambous et al. discloses calling station 312 places a call, dialing a number for connection to an agent associated with telemarketing complex 315 (Fig. 2, Col. 10 Lines 2-5), read as the claimed contact is received at any one of the contact centers.

Regarding claim 6, Charalambous et al. discloses the status of each site is evaluated through updates (Col. 3 Lines 52-56), read as the claimed receiving at the source contact center is carried out in a pre-specified time interval.

Regarding claim 7, Charalambous et al. discloses customers specify a routing policy through a hierarchy of routing decisions based on geographic and/or least cost preferences and performance thresholds (Col. 4 Lines 24-28), read as the claimed contact is associated with a specified network skillset and wherein said reservation request is also for agents of that specified skillset.

Regarding claim 8, Charalambous et al. discloses NAA-Advanced uses performance measures such as: the number of agents at each site, the number of calls in queue, or the number of calls in progress (Col. Lines 45-48), read as the claimed determining at the source contact center a network longest idle agent.

Regarding claim 12, Charalambous et al. discloses a plurality of telecommunication centers (TCs)  $316_1$ ,  $316_2$ ,  $316_n$  (Fig. 2, Col. 7 Lines 54-56), read as the claimed communications network comprises a plurality of contact centers.

Regarding claim 13, Charalambous et al. discloses a customer routing point (CRP) (Fig. 2, Col. 3 Lines 62-64) and a toll switch 304<sub>1</sub> (TS) (Fig. 2), read as the claimed contact center comprises a contact center server and a switch.

Regarding claim 14, Charalambous et al. discloses contact center servers being linked to one another by a first part of said communications network and said switched being linked to one another by a second part of said communications network, said first part and second parts being substantially isolated from one another (see Figures 2 & 3).

Regarding claim 15, Charalambous et al. discloses each contact center server is connected to its associated switch using a dedicated embedded local area network connection (see Figures 2 & 3).

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-8 and 10-15 have been considered but are moot in view of the new ground(s) of rejection.

Applicant should note claims 1-8 and 10-15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,530,744 (Charalambous et al.). For detail of the rejection Applicant should refer to the current Office Action dated 09/21/2006.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My X. Nguyen whose telephone number is (571) 272-2835. The examiner can normally be reached on Monday through Friday at 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.X.N.  
09/21/2006

  
DUC M. NGUYEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600